

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

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SARAH SCARBORO,

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No. 21-2166V

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Petitioner,

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Special Master Christian J. Moran

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v.

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Filed: July 8, 2024

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SECRETARY OF HEALTH

*

AND HUMAN SERVICES,

*

*

Respondent.

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Laura Levenberg, Muller Brazil PA, Drescher, PA, for Petitioner;

Alexis B. Babcock, United States Dep't of Justice, Washington, DC, for Respondent.

UNPUBLISHED DECISION AWARDING ATTORNEYS' FEES AND COSTS¹

Pursuant to 42 U.S.C. § 300aa-15(e), petitioner has requested a total of \$44,247.75 in attorneys' fees and costs. The undersigned tentatively found that petitioner requested a reasonable amount and was entitled to the full amount requested. The undersigned allowed respondent an opportunity to comment. Respondent did not interpose any objections within the time permitted.

Petitioner's attorney, attorney staff, and expert have requested hourly rates that are consistent with the rates previously awarded. The number of hours is reasonable. Thus, the amount requested is reasonable.²

¹ The E-Government, 44 U.S.C. § 3501 note (2012) (Federal Management and Promotion of Electronic Government Services). Pursuant to Vaccine Rule 18(b), the parties have 14 days to file a motion proposing redaction of medical information or other information described in 42 U.S.C. § 300aa-12(d)(4). Any redactions ordered by the special master will appear in the document posted on the website.

² The expert petitioner retained, L. Jay Turkewitz, prepared an invoice that could have contained more information. See Pet'r's Mot. at pdf 45. Respondent's lack of objection

Petitioner is awarded \$44,247.75. This amount shall be made payable as a lump sum in the form of a check jointly payable to petitioner and petitioner's counsel, Laura Levenberg.

In the absence of a motion for review filed pursuant to RCFC Appendix B, the clerk of the court is directed to enter judgment herewith.³

IT IS SO ORDERED.

s/Christian J. Moran
Christian J. Moran
Special Master

contributes to a finding that the amount Dr. Turkewitz has requested is reasonable. Nevertheless, Dr. Turkewitz should detail his activities with more specificity in the future.

³ Pursuant to Vaccine Rule 11(a), the parties may expedite entry of judgment by filing a joint notice renouncing their right to seek review.